



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SIEGLER et al.

For: PEDESTRIAN TRAFFIC CONTROL DEVICE HAVING TAPE BELOW TOP
OF POST

Serial No. 10/055,637

Filed: January 23, 2002

Examining Attorney: Ryan M. Flandro

Art Unit 3679

Box RESPONSES

FEE

Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3514

Sir:

This responds to the office action dated June 23, 2004.

Reconsideration is requested in view of the following
comments.

Each of the dependent Claims, 2-6 and 8, have been objected to because they begin with the word "A" rather than with the word "The". However, it is believed that dependent claims beginning with "A" rather than with "The" is acceptable claim drafting form. The Examiner's attention is directed to the claims of applicants' Patent No. 6,375,164, of which the present application is a continuation-in-part, as well as references relied upon by the Examiner in previous office actions, namely, the Oster and Falcon patents. If the Examiner has authority for the proposition that dependent claims must begin with "The" rather than with "A", he is respectfully requested to cite such authority.

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December 20, 2004

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Please charge any other fees which may be required in connection with this application to Deposit Account No. 06-0735.

Respectfully,

Alan H. Levine

Attorney for Applicants

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3514, ON THE DATE INDICATED BELOW.

NAME Alan H. Levine

DATE December 20, 2004

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